

REMARKS

In the Office Action mailed from the United States Patent and Trademark Office on December 23, 2003, the Examiner rejected claims 1-21 and 23-28 under 35 U.S.C. §112, second paragraph, and rejected claims 1-9 and 20 under 35 U.S.C. §103(a) as being unpatentable over McGraw et al. (U.S. Patent No. 6,560,487, hereinafter “McGraw”). In the Office Action, the Examiner indicated that claims 10-19 would be allowable if rewritten or amended to overcome the rejections under 35 U.S.C. §112, second paragraph. Accordingly, Applicants respectfully provide the following:

Rejection under 35 U.S.C. § 112, second paragraph

In the Office Action, the Examiner rejected claims 1-21 and 23-28 under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention. Applicants respectfully submit that the amendments provided herein overcome the rejections made by the Examiner under 35 U.S.C. §112, second paragraph.

Rejection under 35 U.S.C. § 103

In the Office Action, the Examiner rejected claims 1-9 and 20 under 35 U.S.C. §103(a) as being unpatentable over McGraw. Applicants respectfully submit that the rejected claims have been canceled. Accordingly, none of the cited references, alone or in any combination, make obvious the claim set as provided herein.

Allowable Subject Matter

In the Office Action, the Examiner indicated that claims 10-19 would be allowable if rewritten or amended to overcome the rejections under 35 U.S.C. §112, second paragraph. In particular, with respect to independent claim 10, the Examiner indicated that there does not

appear to be a teaching in the prior art of record for modifying the system of McGraw to incorporate the recited third electrical circuit with a third base frequency greater than the first base frequency by at least 500 Hz, with the second base frequency being within 200 Hz of the first base frequency, and the fourth base frequency being no more than 200 Hz greater than the third base frequency.

Applicants respectfully submit that the amendments to claims 10-19 overcome the rejections made by the Examiner under 35 U.S.C. §112, second paragraph, and thus are allowable. Applicants further submit that the amendments provided herein include the cancellation of each rejected claim and all other amendments made herein are only made to comply with requirements as to form, in compliance with 37 C.F.R. §1.113.

CONCLUSION

Applicants submit that the amendments made herein do not add new matter and that the claims are now in condition for allowance. Accordingly, Applicants request favorable reconsideration. If the Examiner has any questions or concerns regarding this communication, the Examiner is invited to call the undersigned.

DATED this 23rd day of June, 2004.

Respectfully submitted,



Berne S. Broadbent
Attorney for Applicant
Registration No. 30,550

KIRTON & McCONKIE
1800 Eagle Gate Tower
60 East South Temple
Salt Lake City, Utah 84111
Telephone: (801) 321-4802
Facsimile: (801) 321-4893

::ODMA\PCDOCS\DOCS\763256\1